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09/551,252	04/18/2000	Adolf Brodbeck	(K) 53 928	1754

7590 12/08/2009  
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Albuquerque, NM 87111

EXAMINER
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DEXTER, CLARK F

ART UNIT	PAPER NUMBER
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3724

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12/08/2009

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.



### **DETAILED ACTION**

1. The amendment filed on August 5, 2009 has been entered. Due to the allowability of independent claim 39, the remaining withdrawn claims dependent therefrom have been **rejoined**. Upon further review, additional informalities have been discovered as described below.

#### ***Drawings***

2. The drawings were received on August 5, 2009. These drawings are acceptable.

#### ***Claim Objections***

3. Claims 18, 20, 22-25, 29, 39 and 40 are objected to because of the following informalities:

In claim 39, line 6, "having" is not sufficiently clear as to what it refers, and in lines 6-7, "driving element" is not sufficiently clear as to what disclosed feature it refers, and it is suggested in line 6 to change "having a driving" to --said ejector having a coupling--; in line 7, "engaging" should be changed to --engage--; in line 12, a comma --,-- should be inserted after "ejector position" for clarity; in line 13, a comma --,-- should be inserted after "slide" for clarity; in line 14, "an ejector" should be changed to --the ejector-- since the term "ejector position" has already been set forth; in line 15, "driving"

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should be changed to --coupling--; in line 16, "sleeve or sleeves" is not sufficiently clear as to which one(s), and it should be changed to --tubular sleeves--.

Dependent claim 20 is redundant with respect to claim 39 from which it depends and should be **canceled**.

Dependent claims 22-25 have numerous informalities including antecedent basis issues, and it is suggested to rewrite these claims as follows:

-- 22. (Currently amended) The apparatus according to claim 39, wherein a cutting knife of the ~~at least one~~ cutting tool is fixedly or rotatably arranged on a mounting of said slide ~~slide, said rotatable arrangement having a roller bearing~~.

23. (Currently amended) The apparatus according to claim 22 ~~[[39]]~~, wherein ~~[[a]]~~ the rotatably arranged cutting knife ~~of at least one cutting tool~~ is arranged free wheeling.

24. (Currently amended) The apparatus according to claim 22 ~~[[39]]~~, wherein ~~[[a]]~~ the rotatably arranged cutting knife ~~of the at least one cutting tool~~ is rotatable and is driven by a motor with a preselectable rotation speed.

25. (Currently amended) The apparatus according to claim 39, further comprising a flange mounted to said slide, wherein said ~~at least one~~ cutting tool is resiliently, compliantly mounted to ~~[[in]]~~ said flange against a feed movement of said cutting tool ~~[[knife]]~~--.

Appropriate correction is required.

***Allowable Subject Matter***

4. Claims 18, 20, 22-25, 29, 39 and 40 are allowable over the prior art of record.

***Remarks***

5. Applicant is invited to contact the Examiner to make the above changes by Examiner's amendment.

***Conclusion***

6. This application is in condition for allowance except for the formal matters described above. Prosecution on the merits is closed in accordance with the practice under *Ex parte Quayle*, 25 USPQ 74, 453 O.G. 213, (Comm'r Pat. 1935).

A shortened statutory period for reply to this action is set to expire **TWO MONTHS** from the mailing date of this letter.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Clark F. Dexter whose telephone number is (571)272-4505. The examiner can normally be reached on Mondays, Tuesdays, Thursdays and Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Boyer D. Ashley can be reached on (571)272-4502. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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**/Clark F. Dexter/  
Primary Examiner, Art Unit 3724**

cfd  
December 7, 2009